

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

**IN RE: SETTOON CONSTRUCTION, INC., CIVIL ACTION
AS OWNER OF THE M/V AMBRE LYNN
SETTOON AND THE BARGE MIDNIGHT
GATOR PRAY FOR EXONERATION
FROM AND/OR LIMITATION OF LIABILITY** NUMBER
SECTION

**ORDER DIRECTING ISSUANCE OF RESTRAINING
ORDER AGAINST PROSECUTION OF CLAIMS**

A Complaint having been filed herein, on the 12th day of June, 2024, by Settoon Construction, Inc., as owner of the M/V AMBRE LYNN SETTOON and the barge MIDNIGHT GATOR, claiming exoneration from and/or limitation of liability as provided in Title 46, United States Code, § 30505, *et seq.*, for all losses, damages, injuries and/or destruction allegedly resulting from the incident referred to in the foregoing Complaint which occurred on or around December 1, 2023, and an *ad interim* stipulation for the value of the said vessel and its pending freight, all as is required by the rules of this Court, and by law:

NOW, THEREFORE, on Motion of Staines, Eppling & Kenney, LLC counsel for Complainants:

IT IS ORDERED that the *ad interim* stipulation for Settoon Construction, Inc.'s interest in the M/V AMBRE LYNN SETTOON and the barge MIDNIGHT GATOR, in the principal amount of ONE MILLION SEVEN HUNDRED SIXTY-SEVEN THOUSAND TWO HUNDRED FOUR DOLLARS and 92/100 (\$1,767,204.92), plus six percent (6%) interest per annum filed herein by Complainant, is accepted and approved as to quantum, form, and surety;

IT IS FURTHER ORDERED that any claimant who may properly become a party hereto may contest the amount of the value of Settoon Construction, Inc.'s interest in the M/V AMBRE

LYNN SETTOON and the barge MIDNIGHT GATOR, if any, as fixed in said amended *ad interim* stipulation, and may move the Court for due appraisal of said interest and may apply to the Court to have the amount of said stipulation increased or diminished as the case may be, on the determination by the Court of the amount or value of said interest;

IT IS FURTHER ORDERED that a Notice shall be issued out of and under the seal of the Clerk of this Court admonishing all persons asserting claims for any and all losses, damages, injuries or destruction allegedly resulting from or incidental to the occurrences and happenings recited in the Complaint to file their respective claims with the Clerk of this Court at United States District Court, Western District, Lake Charles Division, Lake Charles, Louisiana on or before the 24th day of January, 2025, at 5 o'clock p.m., and to serve a copy thereof on Complainants' attorneys, Staines, Eppling & Kenney, LLC, Anthony J. Staines, 3500 N. Causeway Blvd., Suite 820, Metairie, LA 70002, and requiring any claimant who desires to contest Complainants' right to exoneration from and/or limitation of liability to file and serve an answer to the Complaint unless his claim has included an answer;

IT IS FURTHER ORDERED that the aforesaid Notice be published in the form required by Rule F of the Supplemental Rules of the Federal Rules of Civil Procedure for four consecutive weeks prior to the date fixed for the filing of claims;

IT IS FURTHER ORDERED that the commencement or further prosecution of any action or proceeding against the Complainants, its underwriters or any of its property with respect to any claims for which Complainants seek exoneration or limitation, including any claim arising out of or connected with any loss, damage, injury, or destruction resulting from the December 1, 2023 incident described in the Complaint, be and the same is hereby stayed and restrained until the hearing and determination of this proceeding is completed;

IT IS FURTHER ORDERED that Complainants, no later than the second date of publication of the Notice ordered herein, shall mail a copy of the Notice to every person known to have made or anticipated to make any claim against the M/V AMBRE LYNN SETTOON and the barge MIDNIGHT GATOR, or the Complainants arising out of the December 1, 2023 incident described in this Complaint.

Lake Charles, Louisiana, this 24th day of July, 2024.



UNITED STATES DISTRICT JUDGE
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION
611 Broad Street
Lake Charles, LA 70601